



PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mordechay EMEK

Group Art Unit: 3637

Application No.: 09/874,965

Examiner: P. Tran A

Filed: June 7, 2001

Docket No.: 109730

For: DISMANTLE PROTECTIVE WINDOW

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#1  
10/30/02

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

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**GROUP 3600**

Sir:

In reply to the Restriction Requirement mailed October 9, 2002, Applicant provisionally elects Group I, claims 1-22 drawn to a reinforced window system. This election is made with traverse.

The Office Action indicates that Inventions I and II are related as subcombinations usable together and that Invention II has a separate utility, such as a cover frame for a liquid container. Applicants respectfully disagree with this conclusion.

Claims 1-22 recite a reinforced window system including a window frame, window pane, support members, etc. Claims 23-27 also recite a framework for a window system including a frame, a window pane, support member, etc. What is being claimed in both sets of claims is a combination, not subcombinations usable together, as asserted.

What is in issue is the claimed invention, and the invention recited in claims 1-27 is not a cover for a liquid container. Applicants do not see how the invention recited in claims

23-27 can be used as a cover for a liquid container but, if it could be used, so could the invention recited in claims 1-22.

Moreover, because the inventions of Group I and II both recite a combination invention, it is not seen why there would be any burden on the Examiner to search both inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-27 are not related as combinations usable together and can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Restriction Requirement be withdrawn.

Respectfully submitted,

  
James A. Oliff  
Registration No. 27,075

Robert J. Webster  
Registration No. 46,472

JAO:RJW/sxb

Date: October 23, 2002

**OLIFF & BERRIDGE, PLC**  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

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